

REMARKS/ARGUMENTS

Favorable reconsideration of this application, in light of the present amendments and following discussion, is respectfully requested.

Claims 27, 37, 38, 40, and 41 are pending. Claim 44 is canceled without prejudice or disclaimer and Claims 27, 37, 38, 40, and 41 are amended by the present amendment. It is respectfully submitted that no new matter is added by this amendment.

In the outstanding Office Action, Claims 27, 37, 38, 40, and 41 were rejected under 35 U.S.C. §103(a) as unpatentable over Yoo et al. (U.S. Patent No. 6,701,059, hereinafter “Yoo”) in view of Kondo et al. (U.S. Patent No. 6,618,396, hereinafter “Kondo”) and Kim et al. (U.S. Patent No. 6,740,135, hereinafter “Kim”).

With regard to the rejection of Claims 27, 37, 38, 40, and 41 under 35 U.S.C. §103(a) as unpatentable over Yoo in view of Kondo and Kim, that rejection is respectfully traversed.

Amended Claim 27 recites in part, “said reception time-related information included in the header information relates to a leading first data unit of said pairs of first data units and the reception time information associated therewith.”

The outstanding Office Action cited Figures 3 and 4 and column 2, lines 3-20 of Yoo as describing “that the application header includes the reception time related information.”¹ However, column 2, lines 18-20 of Yoo describe a 4-byte time stamp representing a packet arrival time, which may correspond to the time-stamp shown in the last row of Figure 2 of Yoo. In fact, the application header shown in Figure 3 of Yoo does *not* include the 4-byte time stamp, apparently cited as “reception time related information.” Instead, the application header as shown in Figure 3 of Yoo includes the one bit flag START_OF_STR related to the first transport stream packet (e.g., TSP#1 shown in the fourth row of Figure 2 of Yoo) of the data stream (column 2, lines 32-33 of Yoo). Assuming *arguendo* that this flag is considered

¹See the outstanding Office Action at page 3, lines 14-15.

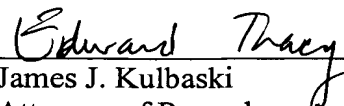
to be packet position-related information, the START_OF_STR flag is not "reception time-related information" as recited in Claim 27. Further, assuming *arguendo* that the time stamp in the first TS packet shown in the last row of Figure 2 of Yoo is considered to be "reception time-related information," the START_OF_STR flag is also unrelated to this time stamp. Accordingly, Yoo does not teach or suggest "said header information includes reception time-related information," much less that "said reception time-related information included in the header information relates to a leading first data unit of said pairs of first data units and the reception time information associated therewith." It is respectfully submitted that neither Kondo nor Kim teach or suggest either of these elements either. Further, the outstanding Office Action does not cite any of the references as describing "said reception time-related information included in the header information relates to a leading first data unit of said pairs of first data units and the reception time information associated therewith." Consequently, it is respectfully submitted that Claim 27 is patentable over Yoo in view of Kondo and Kim.

Since Claims 37, 38, 40, and 41 recite similar features to Claim 27, it is further respectfully submitted that Claims 37, 38, 40, and 41 are also patentable over Yoo in view of Kondo and Kim for at least the reasons described above with respect to Claim 27.

Consequently, in view of the foregoing discussion and present amendment, it is respectfully submitted that this application is in condition for allowance. An early and favorable action is therefore respectfully requested.

Respectfully submitted,

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